

**IN THE SUPERIOR COURT
JUVENILE DIVISION
YUMA COUNTY, STATE OF ARIZONA**

In the Matter of:)
)
***&JUVFNAME**) **JUVENILE CASE NO: S1400JV*&JNBR**
)
) **ORDER OF INTENSIVE PROBATION**
A person under the age of)
18 years of age: DOB *&JUVD OB) **(Assigned Judge *&COMMENT1)**

IT IS HEREBY ORDERED pursuant to ARS 8-341 that the above-named juvenile is awarded to the care of the current custodial parent or guardian under the control and supervision of the Yuma County Juvenile Probation Department until _____, 20_____, with the following terms and conditions:

Failure to comply with any of the conditions listed below can result in one or more of the following consequences:

1. Community Work
2. House Arrest
3. Detention
4. Extension of Probationary Terms
5. Commitment to the Arizona Department of Juvenile Corrections or any other penalty available through the current Yuma County Juvenile Justice Center departmental program resources.

- _____ 1. a. You shall obey all laws to include, city, county, state and federal. You will notify your probation or surveillance officer of any type of contact with law enforcement officers within twenty-four (24) hours.
- b. You shall not associate with anyone who is violating the law.
- _____ 2. You shall obey the reasonable rules and requests of your parent(s), legal guardian(s), probation, surveillance or detention officers.
- _____ 3. a. You shall not associate with any juvenile or adult who is on probation or parole.
- b. You shall not associate with gang members, display gang, drug, alcohol or tobacco insignia, colors, paraphernalia, or any type of dress which appears to be gang, drug, alcohol or tobacco related. You shall not be permitted to wear pants or shorts two (2) or more sizes larger than your waist size.
- c. You shall not get a tattoo while on probation.
- _____ 4. You must participate in one or more of the following, throughout your term of intensive probation for not less than thirty-two (32) hours per week:
- a. School
 - b. A court ordered treatment program.
 - c. Employment
 - d. Supervised community work.

Documentation of hours is due to your probation officer no later than the Monday following the week in which the hours were completed.

- _____ 5. You shall abide by a 12:00 noon curfew unless changed by your probation or surveillance officer. You will not be outside your residence between 12:00 noon and 6:30 a.m., unless you are in the physical presence of your parent(s) or legal guardian(s), in school or a treatment program. If you leave your residence for more than 24 hours and your whereabouts are unknown, you will be considered an absconder and a warrant may be issued for your arrest.

- _____ 6. You shall leave a note signed by a parent or custodian specifying your whereabouts on your door or other place approved by your probation or surveillance officer. This note shall be left each time you leave your home, with or without your parent(s) or legal guardian(s), at any time. The only exception will be when you leave your home to attend regular school.

Each JIPS note must be filled out completely and contain an accurate, detailed and complete address. Any probation officer must be able to take the note and locate the minor by the information on the JIPS note.

- _____ 7. You shall not leave Yuma County without prior authorization from your probation or surveillance officer. Requests for authorization shall be submitted in writing to your probation or surveillance officer 48 hours ahead of time.

- _____ 8. a. You shall notify your probation or surveillance officer prior to moving or changing your telephone number.
b. You will notify your probation or surveillance officer of any changes in your employment, school or community work schedule, or of any changes to any other schedule, appointment, or trip you have reported to your probation team.
c. You will notify the probation or surveillance officer of any absences from any school classes no later than 8:00 a.m. on the date of the absence.

- _____ 9. You shall not be on or near any school premises unless you are enrolled and attending classes, are on official school business or have the written permission of school authorities to be on the premises.

- _____ 10. You shall submit your person and property to search and seizure by your probation or surveillance officer with or without probable cause, and with or without a warrant.

- _____ 11. You will not own, possess or control, or be with anyone who has any firearm or any deadly weapon to include, guns, b-b guns, nun-chucks, flying stars, knives, clubs, slingshots, brass knuckles, bats, etc.

- _____ 12. You shall have no contact whatsoever with the victim(s), co-defendant(s) or witness(s) of any of your offense(s), except as may be permitted by your probation or surveillance officer.

- _____ 13. a. You will not use, possess or consume alcoholic beverages. You will not associate with anyone who is illegally consuming alcohol.
b. You will not use, possess, administer, acquire, sell, manufacture or transport marijuana, narcotics, dangerous drugs, toxic vapors, drug paraphernalia or other prohibited substances. Further, you will not possess equipment or chemicals for the purpose of manufacturing dangerous drugs. You shall not associate with any person who has any of these drugs or equipment.
c. You will not use, possess or consume any prescription medication unless prescribed to you by a licensed medical professional in the United States and purchased in the United States.
d. You will not take over-the-counter or prescription medication, in a manner which is not consistent with the manufacturer's instructions. For example: you will not take more than the recommended dosage within the recommended time frame. You will not take any liquid medication which contains alcohol for example: Nyquil. You will not use mouthwash which contains alcohol.
e. You will not use, possess, administer, acquire, sell, manufacture or transport any uncontrolled or unregulated synthetic compounds or psychotropic substances, such as Spice or salvia divinorum, which are mood altering or affect mental activity, behavior or perception.

- _____ 14. a. You shall submit to a drug testing as directed by any probation or surveillance officer no more than three (3) hours from the time it was requested. You shall not alter your creatinine level of your urine by masking, flushing, diluting or other voluntary means. You shall not tamper, alter or attempt to tamper with any urine specimen provided to the Yuma County juvenile Probation Department by ingesting any substance that may alter the urine specimen.
- b. You shall immediately submit to a breathalyzer or intoxilyzer at the discretion of any probation, surveillance or detention officer.
- _____ 15. You shall participate in, cooperate with and complete any program, to include any medical, mental, vocational or educational, treatment training or community restitution program as directed by the Court or your probation or surveillance officer.
- _____ 16. You shall obey the reasonable rules and requests of school officials. Some of these rules include that you shall be required to respect staff and other students, you will not engage in physical confrontation or instigate fights, you will not deface any school property and you will not engage in behavior that results in suspension or expulsion. If you are suspended or expelled, you must notify your probation or surveillance officer that day. This includes in-school suspension.
- _____ 17. You will not attend the Yuma County Fair.
- _____ 18. I will not use the social networking web sites unless I provide my probation officer with my website address, username and password. I will inform my probation officer if I change my website account or add an account.
- _____ 19. Other special conditions as follows:
- _____ Write _____ apology letter(s) to the victim(s): _____
- _____ Suspend or restrict driving privileges upon unsuccessful discharge from probation.
- _____ Suspend or restrict driving privileges until 18th birthday.
- _____ \$25.00 victim's Fee.
- _____ Fingerprinting (If committed a felony and pursuant to ARS 8-341(R), you shall report to detention or probation as directed by your probation or surveillance officer and after your disposition hearing.
- _____ 20. You will pay restitution in the amount of \$_____ to the Yuma County Juvenile Justice Center due and payable today. If you are unable to pay the full amount today you will be assessed a onetime fee of \$12.00, and you will be required to make minimum monthly payment of \$_____ due and payable today and thereafter on the _____ day of each month until restitution is paid in full. You may be required to participate in the Juvenile Court restitution program as directed by your probation or surveillance officer. If you become 60 days delinquent on your restitution fees, a probation violation may be filed.
- _____ 21. Pursuant to ARS 8-341(G), 8-352(E)(2) and 8-234(D), the parent(s) or legal guardian(s) shall pay \$60.00 per month probation supervision fee payable today and thereafter on the _____ day of each month while your child is on probation. The parent(s) or legal guardian(s) shall also pay \$_____ per treatment referral. You are expected to repay your parent(s) or legal guardian(s) if they pay the fee. If you become 60 days delinquent on your probation fees, a probation violation may be filed.
- _____ 22. Pursuant to ARS 8-341(B)(1)(2)(3)(4)(5) and (6), your probationary period shall be extended if the Court determines that it is in the best interest of you or the public to require continued supervision. Your probation term may be extended if you are at risk of dropping out of school.
- _____ 23. You shall not be in possession of lasers, two way radios or police type scanners.

- _____ 24. You shall not possess or use a cell phone, unless authorized by your probation officer, in writing.
- _____ 25. You or your parent(s) or legal guardian(s) will pay a \$25.00 attorney administrative fee and a \$250.00 attorney fee if a court appointed attorney has been assigned to your case.
- _____ 26. Pursuant to ARS 8-243(C), you, your parent(s) or legal guardian(s) shall pay a detention fee of \$20.00 a day while in detention. The assessment will be determined within the policy guidelines of the Juvenile Court. If you become 60 days delinquent on your detention fees, a probation violation may be filed.
- _____ 27. You shall be subject to such further rules of probation as deemed necessary by the Court or the probation or surveillance officer from time to time, including any modifications or changes to these rules as set forth in writing. This is to include all treatment program rules.
- _____ 28. If you have been adjudicated delinquent for a class six (6) felony offense which has been court ordered undesignated; upon successful completion of probation, the felony offense will be designated a misdemeanor.

DATED this _____ day of _____, 20__.

*&COMMENT2 OF THE SUPERIOR COURT

I. JUVENILE ACKNOWLEDGEMENT OF CONDITIONS OF INTENSIVE PROBATION AND HIS/HER RESPONSIBILITIES:

I have received and understand the conditions of my Intensive Probation and the consequences if I violate these conditions. I understand that if I am accused of violating probation, I have a right to deny it and have a hearing before the Judge at which time I can exercise my rights to be appointed counsel, remain silent and see and hear the witnesses against me and be presumed innocent until the violation is proved by a preponderance of the evidence. I also understand that if I am found to be in violation of probation, the Juvenile Court may revoke my probation and issue an Order of Commitment to the Arizona Department of Juvenile Corrections (ADJC) or any other placement that the Court so directs.

JUVENILE: _____

DATE: _____

PROBATION OFFICER: _____

DATE: _____

II. PARENT(S) / GUARDIAN(S) ACKNOWLEDGMENT OF CONDITIONS OF JUVENILE INTENSIVE PROBATION AND PARENT(S) / GUARDIAN(S) RESPONSIBILITIES:

Pursuant to ARS 8-235, the Court finds that an Order of Disposition has been made concerning the above-named child and that the proposed conduct of the parent(s) or legal guardian(s) may assist in the rehabilitation of the child. It is proposed that the Parent(s) or legal guardian(s) _____, comply with the following:

- a. You will cooperate in any treatment plan and the implementation of the terms of probation.
- b. You will promptly report any violation of your child's probation to the Juvenile Probation Department.
- c. You will provide transportation for your child to participate in probation activities and programs when necessary.
- d. You will notify the Juvenile Probation Department in writing of changing your place of residence or telephone number within 24 hours of the change.
- e. You will not prevent or hinder a search without a warrant, and without probable cause of your child's person, clothing, personal effects, and the exterior, interior and outbuilding of any dwelling over which you have control and in which your child resides.
- f. You will pay the monthly probation fee and treatment fee, in the event it is not paid timely by the child.
- g. You will pay a onetime \$25.00 attorney administrative fee and a \$250.00 attorney fee, if assessed.

You have the right to a hearing before any Court Order is issued commanding you to do these things. However, you may agree to a Court Order without a hearing.

_____ I agree to do these things and the Court may issue an Order without a hearing commanding me to do these things. I understand that if I fail to follow the Court's order, I may be held in contempt and be fined or put in jail.

_____ I do not agree to do these things, and I want a hearing before the Court before any such Order is issued.

I have received and understand the rules and terms of my child's probation. I also understand that I will pay a monthly supervision fee as per state law and this Court order. I acknowledge that I will cooperate in any treatment plan and this Court order. I also understand that failure to comply with this Court order, encouraging violations of this Order or through my actions or inactions causing my child to violate this Court order may result in appearance before the Judge of the Juvenile Court on an Order to Show Cause for contempt of Court, and I may be severely punished. This punishment can range from up to 30 days in jail and/or up to a \$1,000.00 fine.

PARENT/GUARDIAN: _____ DATE: _____
PARENT/GUARDIAN: _____ DATE: _____
PROBATION OFFICER: _____ DATE: _____

ORDER

The parent(s) or legal guardian(s) having consented; **IT IS ORDERED** that said parent(s) or legal guardian(s) shall comply with the proposed orders as above set forth.

DATED this _____ day of _____, 20__.

NOTICE OF LOSS OF RIGHT TO POSSESS FIREARM

Pursuant to ARS 13-904(H), a person who is adjudicated delinquent under ARS 8-341(R), does not have the right to carry or possess a gun or firearm.

Pursuant to ARS 13-912(01), a person who is adjudicated delinquent and whose period of probation has been completed may have his/her rights to possess or carry a gun or firearm restored by the Judge who discharges the person at the end of his term of probation.

A person who is adjudicated delinquent and who has been discharged from probation, on proper application, may have his/her right to carry or possess a gun or firearm restored by the Judge of the Juvenile Court in the county where the person was adjudicated delinquent or his successors. The Clerk of the Superior Court shall process the application on the request of the person involved or the person's attorney. The applicant shall serve a copy of the application to the County Attorney.

If the person's adjudication was for a dangerous offense, under ARS 13-705, a serious offense as defined in ARS 13-706, Burglary in the First Degree, Burglary in the Second Degree or Arson, the person may not file for the restoration of his/her right to possess or carry a gun or firearm until the person attains thirty (30) years of age. If the person's adjudication was for any other felony offense, the person may not file for the restoration of his right to possess or carry a gun or firearm for two (2) years from the date of his discharge from probation.

I UNDERSTAND THAT I MAY NOT CARRY OR POSSESS A GUN OR FIREARM FOR THE REST OF MY LIFE, UNLESS AND UNTIL I GET A COURT ORDER ALLOWING ME TO DO SO.

JUVENILE: _____ DATE: _____

PARENT/GUARDIAN: _____ DATE: _____